Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

Vol. VII.—No. 18. **BOSTON, MASS., SATURDAY, DECEMBER 27, 1890.** **Whole No. 174.**

"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."

JOHN HAY.

On Picket Duty.

Referring to Liberty's remark that the Democrats are sure not to understand the needs of industry and that they will perhaps make a much sorrier spectacle of themselves than the Republicans, the Galveston "News" says: "If they take some partisan advice and adopt Reed's plan they will indeed, and if they compromise the principle of free trade they will; all of which is possible." The latter is certain.

As an Agnostic in religion, Professor Huxley is a decided success. The number of disabled and mortified theologians around him grows, and the intelligent world will be grateful to him for the service and pleasure which his controversies yield. But the world will not thank him for his political Agnosticism (or ignorance); nor will he be pleased to discover that the world regards him as an Agnostic in politics. But nobody except an ignoramus or office-holder will pretend, as he does, that the first condition of liberty is obedience to the law of the land.

A prominent "independent" newspaper observes with satisfaction that some Republican organs mournfully admit the absence of great leaders and statesmen in the Republican party. Are there, then, any great leaders in the Democratic party, or even in the so-called reform parties, from mugwump down to trades-unionist? The truth is that great men are not attracted into political movements nowadays, and that modern politics is incompatible with greatness and true nobility. The number of respectable men in politics grows beautifully less, the name "politician" becoming synonymous with cheat and impostor.

The Galveston "News" says: "Any man can get all the land he wants in Texas at a nominal price and forty years to pay for it. Land is not sufficiently scarce to begin to raise thunder about yet." What is true of Texas is true of other States. Our land reformers who have nothing to say about the money monopoly and who pass sleepless nights trying to devise a way for the community to appropriate "economic rent," strain at a gnat after swallowing camels. They will not be missed even if they retire from the reform field altogether. But they can still learn something about the real needs of the time, and make themselves useful.

In a recent issue of Liberty the editor of "Today," who had pretended that no sensible man could object to the present system of landlordism, was told that very many intelligent people differed from him. I now wish to direct his attention to the following words of the Galveston "News": "There is nothing discoverable in the general human consciousness which says that the possession of a moderate amount of land by an individual without paying rent to government or anybody is other than altogether beneficial to mankind. Property is freedom, not slavery. Freedom without property is freedom to starve. Land is eminently adapted to have an individual possessor. Let society not hamper him at all on the land that he really uses."

The New York "World" recently printed thirty letters from thirty married women in answer to the question, Is marriage a failure? One and all, these "happy wives" protest against "the idea" of throwing a doubt upon the blessedness of the matrimonial state. Their husbands are perfect angels, — kind, patient, helpful, liberal, tender, virtuous, in a word, model husbands. Surely such an array of competent witnesses must make us pause and reconsider our theories as to the inevitable consequences of legal marriage. . . . . Yes, but the "World" offers a prize of one hundred dollars for the "best description of the best husband," and — may not the enthusiasm of the "happy wives" be traced to the hope of getting the coveted lucre; may not the wish for the prize be the father of the eulogies? On the whole, I think I cannot be blamed for declining to admit the evidence of these thirty ladies who do protest too much.

In the following passage Auberon Herbert answers an objection to the Anarchistic view of legalism that even intelligent sympathizers often raise: "Is law educational? Can we not act rightly simply from obedience? Law is not educational, just because it disregards the judgment and consent of the person who obeys it. A man may have to obey laws which he believes wrong, and law-makers whom he despises. . . . . Obedience which is mechanical, which springs from habit, from doing the same thing all one's life and seeing others do it, like the Hindoo who worships the gods of his ancestors, or the Englishman who pays his taxes because he is so used to the tax collector, has very little about it that teaches or raises. That which is good must be consciously and intelligently embraced. If it is not, it is hardly likely to wear well, especially in this age of uncertainty and restlessness, when we want to see the intellectual foundation on which every command rests."

It would be absurd to expect the president of our beloved country to possess sound views on important economic or political questions; but there are a few things which even a president cannot fail to know without exciting the astonishment of intelligent people. Who, for instance, would have suspected Benjamin Harrison of utter ignorance of the fact that in this country the legislators are presumed to carry out the will of the majority and act in the capacity of political "servants" delegated with certain powers by the "sovereign" voters? Yet we find him using this language in his message (italics mine): "Our form of government with its *incident* of universal suffrage makes it imperative that *we* shall save *our working people* from the agitations and distresses which scant work, that leaves no margin for comfort, always begets." Is this the talk of a servant to (or about) his masters and sovereigns? Benjamin Harrison apparently fancies himself a king in dress-coat. In the same message, referring to the French government, we find him speaking of "our representative at that court." Either he is ignorant of the fact that there is no French "court" at present, or else he feels that, so far as the people are concerned, there is practically no difference between kings and presidents, and, not having the wit to play the hypocrite successfully, he prefers plain talking.

"Observer" writes as follows in the "Twentieth Century": "An out-of-town friend tells me he is a director of industry. He is a commercial traveller. Many of his customers having bought of him for years, they no longer look at his samples, or inquire closely as to prices, or seek to better themselves with other houses. They have learned that their own business interests are best served by leaving to him quality, price, and judgment as to the ebb and flow of markets. Frequently he does not even wait for orders. When, to his mind, markets are high, he buys little or nothing. When low, he stocks his customers up. His bond of union with his two sets of employers — his house and his customers — is complex but strong. It embraces a faith in him that he must maintain through honesty, intelligence, watchfulness. Speak of the 'wastes of competition'! Could a government agent, under Socialism in its purest stage, do this commercial man's work so cheaply and efficiently, and, moreover, leave all parties so free to terminate the arrangement, should it ever prove second best, at will?" Of course the State Socialists may meet this by saying that this "director of industry" is only an exception, and that as a rule commercial travellers are neither trusted nor believed nor worthy of trust. But the point is that what is exceptional now would become very general and habitual under a fairer and freer industrial system in which no necessity for deceit and trickery existed; and the State Socialists will never succeed in making good their claim that industrial fairness is incompatible with industrial freedom.

The latest aspirant for the honor of overthrowing the argument that free money would abolish interest is C. L. James, of Wisconsin. He allows that free money would be a good thing, but does not think that it would abolish interest. Why? Let him answer in his own words, which I quote from "Free Life." "When a tailor and a farmer exchange their products, each gets more for less than if he were tailor and farmer too. But as yet there is no interest, only wages. Things would be no different if the tailor and farmer found it convenient to deposit their products with a middleman. The middleman might take out a commission, or might pay each less than he sold to the other for; yet in either case what he got would be only his wages, if we suppose the rate of exchange to be constant. But, if the middleman perceived that the production of clothes was outrunning that of food, so that the value of the former must fall and that of the latter rise, then he could gain by buying of the farmer on credit at the present rate and paying interest, or by borrowing to pay the farmer and agreeing to find usury for the money-lender." Very well: but at what rate would he borrow? I presume Mr. James will agree that he will borrow at the cheapest rate that he can get. Now the claim of the free money advocates (a claim of which Mr. James seems to be entirely ignorant) is that free competition in banking will bring the price of lending money (or rather of exchanging circulating credits for non-circulating credits) down to cost, which banking statistics show to be considerably less than one per cent. This discount of less than one per cent. will not be interest, because it will be used, not to pay dividends to stockholders, but to pay wages to the bank president and his assistants and all incidental expenses. It is plain that Mr. James's argument does not touch the point at issue. It is plain also that Mr. James has either never read or never understood any of the standard literature of mutual banking. He, like his comrade in Communism, John Most, has as little conception of the philosophy of gratuitous credit as has a baby of the differential calculus.

Proudhon, the Father of Anarchism.

HIS PERSONALITY AND HIS PHILOSOPHY.

[From Dr. S. Engländer's "Abolition of the State."*]

Proudhon had an amount of polemical power seldom possessed by genius. Like vitriol, he ate away modern society, he dissolved every hindrance. Once he called Socialism a protest, a very vague, but for him very significant, declaration. Proudhon would take the initiative; he could enter into controversy with his own scholars, ay, even with himself. History is to him the extrusion of one Utopia by another. Official Utopias, realizable for a moment, but which have no true life, will continually be opposed by other Utopias — for the most part pure impossibilities, or possibilities practicable only up to a certain point — and thus by this constant course of dissolution and destruction mankind progresses. Such Utopias, which undermine existing conditions, apparently possessing a reality, but which are yet utterly Utopian, must incessantly crop up in history. The Utopias of Pythagoras, Plato, the Manichæans, Albigenses, Hussites, Anabaptists, of Campanella, Sir Thomas More, De Morelly, and Babœuf, join hands in succession. The Utopias bring intermixture and syntheses into society, and cause mankind to recognize their contradictions. Yet every Utopia, when it has exhausted the power which gave it being, must be refuted.

Proudhon comes forward as the destroyer of all Utopias. His war-cry is, "*Destruam et ædificabo;*" and he translates this biblical sentence by the words, "I destroy, *therefore* I build up."

Proudhon recognizes two species of Utopia, both of which he equally combats: firstly, the one which seeks to achieve everything by a single man, and which he calls Economicism; and, secondly, the other, which seeks to effect everything by society, and which he calls Socialism, and more often Communism. This dialectic form was retained by him in all his writings, and was most clearly apparent in his chief work, "Contradictions." Proudhon therefore wages war against all economists, and also against all Socialists. The only justification of the social Utopias which he recognizes is so far as it is a protest against official Utopias. One of the chief points, therefore, of Proudhon's doctrine is, naturally, a criticism of our entire economic edifice, which rests upon a hypothesis, a fiction, in fact, upon a Utopia — viz., the productiveness of capital. In consequence of this hypothesis one-half of the products of society flows out of the hands of the working classes under the names of rent, hire, contract, agio or interest, into those of the capitalists, proprietors, and contractors.

This condition is the official Utopia, which must be dissolved by the social Utopias of St. Simon, Fourier, Cabet, Louis Blanc, and Pierre Leroux. That done, its part is played, and Proudhon then demands the entire arena for liberty. This two-edged sword was constantly wielded by him as a weapon. While on the one hand he sweeps away the dead national economy, on the other he roots out Socialism, which would enter upon the inheritance.

Proudhon would have perfect liberty: he took it by storm. When a prisoner in the Conciergerie, and later in Doullens, he was the first man in France. Proudhon fought for political and social liberty: this is his general characteristic. Politically there is no freedom for him as long as a government at all exists, and socially he only feels himself free when feudal property and capital vanish. On another occasion, which we shall explain later, this latter tendency was carried out in a sense diametrically opposed to Communism. According to his views, the citizen is only then free when the State ceases; and so long as capital exists, so long does the laborer remain a slave.

Hegel in Germany produced Feuerbach, and in France Proudhon; and as Proudhon owes to him his dialectic form, so also did he found his metaphysical ideas, which must here be introductorily glanced at, upon Hegel's doctrine.

To him God is eternal, man progressive reason. Each is requisite to the other, and both complete each other. Proudhon regards this harmony as the government of providence. This harmony is proverbially expressed by the sentence, "Help yourself, and God will help you." In his metaphysical views he follows the formalistic course of Kant. To him it is clear that no investigation into the being of God can lead to any result, and he pursues, therefore, only "The Biography of the Idea of God." He analyzes the belief in God, and thereby breaks the spell which makes the idea inaccessible to reason. God is thus transformed into his own ideal, into humanity. The theological dogma no longer remains the mystery of the Infinite, but is the law of our collective and individual liberty. Humanity contemplates itself, and calls the picture God. Religion and society are synonymous.

Holding these metaphysical views, Proudhon was in France accused of being an Atheist. As he once related in his "Voix du Peuple," letters were sent to him with the address, "M. Proudhon, the personal enemy of God." Notwithstanding this, Proudhon on many occasions denounced materialist Atheism, and compared it to suicide.

Proudhon is not always original in his range of ideas. His antagonists even contended that he had no originality, and ascribed the well-known saying, "*La propriété c'est le vol*," to Brissot. Still, what is always original in him is the form of his intellectual productions. He plunges every thought into the Revolution, and imparts to each of his sentences a violent crushing character. He appears always fighting and never debating; so that with him everything appeared new and always was new. He saw the sober British idea of self-government, which constitutional doctrinaires preached uncontrolledly in absolute States, and while he discussed it, evolved therefrom the most revolutionary ideas — the abolition of Government, the extinction of the State.

Proudhon was the atheist of politics. His atheism was not that of the eighteenth century, but rather a more concrete, more sensual atheism, which looked not to the empty heaven but to the teeming earth; an atheism that did not despair because it only had the earth, but would precisely have nothing but the earth; an atheism which, while it allowed no domination to God, would also have no more government of men.

Similarly Proudhon criticised in all his writings the principle, the object, and the right of government, and came to the conclusion that philosophy could as little prove the existence of a government as of a God. For him, government, like God, is not an object of knowledge, but of faith. He asks, "Why do we believe in a government? Whence comes the idea of authority in human society? this fiction of a superior being called 'State'! Ought it not to be with the Government as with God and the Absolutists, which have so long and fruitlessly engaged the attention of philosophers? And as we have already, by means of philosophical analysis, found, in reference to God and religion, that mankind beneath the allegory of its religious myths was but pursuing its own ideal, could we not also seek what they desire by the allegory of their political myths?" The political arrangements, so varying and contradictory, are not, according to his ideas, material for society, but appear rather as simple formulas and hypothetical combinations, by means of which civilization maintains an appearance of order, or, to speak more correctly, seeks order.

Instead, therefore, of seeing in Government the organ and expression of society as held by the Absolutists, the instrument of order according to doctrinaire ideas, the means of revolution, the belief of the Radicals, Proudhon only recognized in it a phenomenon of social life, the external representation of our rights, the development of one of our capabilities.

Proudhon further proclaimed that government, like religion, was a manifestation of social spontaneity. What humanity seeks in religion, and calls God, is itself; and what the citizen seeks in government, and calls either king, emperor, or president, is freedom.

The best form of government, as the best religion, literally accepted, is a contradictory idea. The question is not in the least how we shall be best governed, but how we shall be freest. Government of man by man is as little to be permitted as the economical exhaustion of one man by another. That was one of the chief formulas of Proudhon.

So consistent is Proudhon that he only recognizes as a Republic that land where the people exist without representation or magistracy; and he calls every one a Monarchist who does not strive to achieve the suppression of all government — *i. e.*, Anarchy. He holds that whoever admits the economic revolution proclaims thereby the cessation of the State. This abolition of the State is, he declares, the necessary consequence of the organization of credit and the reform of taxation, since by this double innovation government will become gradually superfluous and impossible.

Government stands just on the same footing as feudal property, as loans or interest, as absolute or constitutional monarchy, as judicial institutions, etc., which have all served as an education for liberty, but which fall and become powerless as soon as liberty has reached its full growth. In his work, "Confessions of a Revolutionist," this feeling is most aggressively expressed. He says: "All men are free and equal; therefore is society, in accordance with its nature and destiny, autonomic and ungovernable. As every one's circle of activity is fixed by the natural division of labor, and the choice of a condition of life which each one finds in due course, so are the social functions combined in such a manner that they must harmoniously cooperate. Order springs from the free activity of all: there is no government. Whoso lays a hand upon me to govern me is a usurper and a tyrant. I declare him my enemy."

He was asked: "Then you would abolish Government? you would have no constitution? Who, then, would maintain order in society? What would you have in place of the State, in place of the police, in place of the great political powers?" He replied: "Nothing. Society is perpetual motion. It does not require to be wound up, and it is unnecessary to beat time for it. It has in itself its pendulum, and its spring is always wound up. An organized society needs laws as little as lawgivers. Laws are in society as a spider's web in a beehive. They only serve to catch the bees."

Proudhon declared that society could only be regarded as organized when no longer anyone existed to make or observe laws, or to live in accordance with them. It was only because society had up to the present time never been organized, and had always found itself in course of organization, that lawgivers, statesmen, heroes, and policemen had been necessary.

Starting with this view of government, Proudhon laid down a totally different definition of Monarchy and Republicanism to that laid down by the general run of Republicans, who believe that society can be republicanized by simply expelling the king. To him Monarchy is not an individual, a family, an incarnation of popular sovereignty, but a faith and a system: a faith in a divine right and a system of government. Both elements he found as deeply rooted in the Democrats as in the Royalists.

To be continued.

* Continued from No. 173.

Once a Single-Taxer, Now an Anarchist.

Anarchism continually crops out in new places. The Liverpool "Financial Reformer" prints the following letter from Mr. Robert Jones, of the Free Trade Democratic Association of Victoria:

DEAR SIR, — I have to thank you warmly for your very friendly letter and for the literature which accompanied it. Our association is not yet in a position to purchase literature, but a few of us would gladly subscribe to get a parcel — say 1,000 — of the admirable pamphlet of Mr. Lovell: "Fair Trade *versus* Free Trade," if you could send them out at a low rate, to enable us to distribute them. We are of all shades of opinion on the land question. Personally, I regard monopoly and privilege as the greatest obstacle to progress. The idea of private ownership in land seems as absurd to me as that in sea or sunshine, and I would settle the question, not by a flank attack through taxation, but by the front attack of affirming the right of every man to use vacant land wherever he found it, relying on the gigantic force of public opinion to say what constituted vacant land. I would not permit supremely wealthy men to keep large tracts of good land out of cultivation, no matter what tax they were ready to pay for so doing, but would uphold any citizen in settling upon and cultivating such land. All history shows that power and privilege corrupt even the best men and make them tyrannical. Our government, democratic though we are, is an example of this. Under cover of preserving order, it calls out the military to overawe labor, and we know how narrow an escape we had from cold-blooded massacre. Hitherto I have advocated Single Tax under the idea that it would lead to the final substitution of voluntary for compulsory taxation, but recent events have convinced me that a Single Tax Government would inevitably become corrupt, and would use its great wealth for tyrannical purposes. The great prolific idea is that of denying the utility of any form of force except that of public opinion, which, of course, must be ever co-existent with man. If the sea had been sold ages ago, the true remedy for the resulting evil would not be to tax ocean values, but to affirm the truth of the ideas the world now holds with regard to the impossibility of private property in sea. For ages man thought slavery a necessity, and hoped all brutal slave-owners would one day become just and merciful. But this hope was vain. And so I feel sure will be the hopes entertained about governments that are established on force, ceasing to be corrupt and oppressive. This you will say is Anarchism; I admit it. Once regarded with horror, I now see in it, and its constant demands on the individual to rightly conduct his life and not to expect any outside force to save him, the only hope for the salvation of mankind. With the Single Taxers I shall attack Land Monopoly as fiercely as ever, as also taxation of houses, clothes, food, and all commodities, and will demand that exchange and production be made as free as the air. But I will not declare that Single Tax is the best remedy. It is simply the ideal system of taxation, but voluntary taxation is the highest ideal of social organization. For him whom I am privileged to call friend, Henry George, I shall entertain feelings of affection and of gratitude for having first shown me the absurdity of private property in land, but I think there is a better, because simpler and juster, remedy than his of Single Tax. With best wishes, I am, yours very truly,

ROBERT JONES.

MELBOURNE, SEPTEMBER 27, 1890.

A Protest Against Pious Lies.

[Auberon Herbert in Free Life.]

The man who trusts Mr. Parnell as a politician, and believes in his guiding of the Irish people — which I personally don't — should vote for him now as before. I say this, not because I think adultery and the ghastly treachery and the lies that surround it lovely things, but because the sexual relations which exist between any man and any woman are matters, as the clear-sighted can see, that belong to their private life and not to the public outside. There is no institution that pollutes society so deeply as the divorce court.

It is founded on the foul idea that "the public" have some right for their own satisfaction to keep a man and woman bound together in marriage, and if in secret and with many lies the man and woman break the society bond, to drag out into daylight every action of their lives. The public have no such right; and all the meanness, the lies, and the sordid details of these cases must in a large measure be put down to the attempt of the public to interfere with its gross touch in

the inner lives of men and women. Perfect, life-long fidelity to each other is the true ideal of marriage; but we shall never get nearer to, but only farther away from, that ideal by allowing the public to watch over our morals. If either husband or wife are unfaithful to each other in heart, it were infinitely better for them to part than to play a horrible drama of lies and treachery, because this outside self-righteous public think that their own morals may be injured by such open parting and such open confession of weakness and failure.

One last word about Mr. Parnell. If he is dismissed as leader, he will be sacrificed not to "piety," but to a desire to make use of "piety." It will not be because men are getting better, or because in a certain number of minds a steady, grave, and humble desire is growing to hold the passions of their nature under firmer control. These men know how little these outbursts of "surface piety" and pious politics serve that end. These men know only too well how grave are the faults in their own natures, how long and slow will be the mending of them, how each has one dark chapter on which he wishes no eye to fall, and they will join in no outcry against a man who, as they know, is but something worse than themselves. In Mr. G. Meredith's words (I quote from memory), we have passed Seraglio Point, but we have not yet doubled Cape Turk. That still lies ahead. Some day, perhaps, we may reach and pass it, but it will not be by lying either to ourselves or to others about our own human nature. All we men are weak and bad in this matter, and our first effort must be not to join in telling pious lies. So holds the one hope of our reformation.

Discrepant Boundaries.

The political creeds of Auberon Herbert, Wordsworth Donisthorpe, J. H. Levy, and some other English Individualists, while covering very largely identical ground, exhibit at their ragged edges angles that are far from coincident. Some idea of those divergences is briefly given by Mr. Donisthorpe in a letter to "Free Life":

I see no contradiction in the expression "voluntary taxation." Tax merely means an ordering or drawing up in line or assessing, and is sometimes used to describe an arrangement with creditors, which is a perfectly private transaction. Any arrangement for fixing the separate shares of the several parties (whether to take or to pay) is a form of taxation. My quarrel with your Individualism is that the world is not ready for it. My Individualism is absolute Anarchy qualified by a regard for social evolution. There is a good deal of logomachy in our camp. Mr. Levy seems to me to hold with us moderate Anarchists that at present we require a residuum of State action. But where I think he errs is in supposing that this is the necessary and permanent condition. In the perfect (or more perfect) state of social development I agree with your view. In the present state Mr. Levy and I are more in line, looking on the State as a necessary institution. We diverge when he insists on regarding it as a permanent institution. Perhaps I should even outrun you a little in regard to the future. I am inclined to think with Tucker, that even the administration of justice will fall into private hands, though it is hard to foresee the construction of the judicial system.

The Right to Gamble.

[W. J. Stanton Pyper in the Whirlwind.]

One of the crying evils of the present day is the officious interference of the State with what is vaguely termed gambling. Not content with forcibly robbing people of their money under the guise of taxation, the State does not even allow the helpless citizen the poor privilege of doing what he likes with the pittance left to him. Acting on the modern axiom that it is much more heinous to waste your own money than to steal some one else's, the law of England, which permits wholesale Stock Exchange robbery, sternly prohibits the lottery for the Christmas goose and the prize drawing at the village bazaar, while it makes marauding expeditions against the houses in which young men of aleatory proclivities meet together to lose their superabundant money. This manifestly unfair state of things calls for immediate abolition.

Odious as this system is, the discriminatory method of its enforcement is more odious still. Why, in the name of all that is just, should the wretched urchin be dragged to prison for playing pitch and toss and the wealthy individual who bets on horses shake hands with the judge on the bench? Why should the itinerant proprietor of a roulette table be assaulted by the police, while the well-to-do card player invites other card players to his house with impunity?

We await an answer to these questions, and in the meantime shall, in season and out of season, continue to assert the inalienable rights of the individual to gamble away his money, drink it away, smoke it away, buy daily papers, or throw it away in whatever manner he may see fit, so long as his actions are not a check on the equal rights of other individuals.

The laws relating to gambling are a remnant of that prying Puritanism and *bourgeois* tyranny which unhappily have not yet become extinct in England.

Beauties of Government.

[Clippings from the Press.]

A big stand, erected for a foot-ball game in a Brooklyn (N. Y.) park, collapsed, and hurled to the ground 3,000 people. About twenty were seriously injured. It appears that an inspector had been sent by the Department of Buildings to see "that the stand was properly and substantially built," and that he had reported that the work was well done and the timbers sound and substantial.

NEW YORK, Nov. 17. Mahammad Raheen, recently of Liverpool, and originally from Afghanistan, landed at the Barge office on Sunday from the steamship Brittanic, with 100 pounds of rubies in the rough. He had no money, and will be detained until a competent authority on uncut rubies decides that his collection is valuable enough to prevent him from becoming a public charge. It takes an expert examination in most cases to decide whether an uncut ruby is valuable or next to worthless.

BERLIN. The National-Zeitung says: The Emperor will shortly issue an edict to the Prussian ministry directing that teachers in national schools must be familiar with the principles of political economy to enable them to demonstrate the errors of Socialistic teachings.

In the higher schools recent modern history, especially of Prussia, must be taught, and the "benefits" which Prussian kings have always conferred upon workingmen must be inculcated.

A startling exposition of the law as to a husband's rights over his wife was given at Tuesday's meeting of the Guardians for the City of London Union. The master of the workhouse at Homerton asked for instructions in the event of a pauper rejoicing in the chirrupy name of Goldfinch wishing to leave the house. Complications were likely to arise, it was said, inasmuch as Goldfinch's wife had clearly intimated that she would not accompany her husband. Could the master, it was asked, oblige the man to remain under such circumstances? Thereto the clerk replied that Goldfinch could exercise his legal right to compel his wife to go with him. The law was that "a husband could use reasonable force to make his spouse obey him." If she refused, he could "take a stick of a certain size and even beat her, so long as he did not ill-use her." It may well be asked, in what way does this solemn dictum accord with the marital vow to "love, comfort, and honor" the wife? In the difficulty the Guardians thought it would be wise to let Goldfinch leave the house alone if he wished to do so.

For the special benefit of seven of the more or less bald-headed aldermen of Boston a performance of the "Clemenceau Case" was given at the Park Theatre. Three of these aldermen compose the theatre-license committee, and a month ago they revoked the license of the Park because on the second night of its visit to Boston they found that Sibyl Johnstone as Iza in the "Clemenceau Case" wore too few clothes. Manager Crabtree felt that he must vindicate himself, and so he secured a new company, with Miss May Wilkes as Iza, and invited the entire board of aldermen to pass judgment before the play was given to the public. Seven of the aldermen accepted the invitation. Alone and lonely they sat it out. They observed that Miss Wilkes wore the same objectionable jersey, but with the addition of some other clothes, and they felt their responsibility greatly. When the entertainment was concluded, they left, silent and gloomy, and at the City Hall went into executive session. The result of their deliberations was the announcement that the "Clemenceau Case" might be produced publicly, and that they would attend and again carefully watch for improper scenes, and especially note the effect of the exhibition on the audience.

A practical illustration of the beauties of the new tariff law was given to the House December 17, in the shape of a letter from the Secretary of the Treasury, asking that an appropriation of $25,000 be made in order to enable the Lighthouse Board to pay duties upon imported articles used in the establishment of lighthouses, and on which the Government has to pay duty. The Secretary says the illuminating apparatus used in lighthouses is not made in this country. "The duty on the parts," he adds, "which are mostly of glass, is 60 per cent., and on the parts made mostly of metal 45 per cent. The fourth-order apparatus, the ones which are mostly used, cost, say, 10,000f. in France, or say $2,000, the duty upon which will be, say, half that amount. Certain other articles needed in the establishment of lighthouses, and not made in this country, are also imported and subject to duty under the new law."

The Secretary adds: "Free entry on articles imported for Government use is no longer allowed, and the appropriation will have to be made in order to enable the Government to pay duties to the Government."

WASHINGTON, D. C., Dec. 4. Assistant Secretary Spaulding of the Treasury Department has rendered a decision holding that the bondsmen of the famous painting, "The Angelus," are liable for $16,500 duty on the painting.

Rev. Edmund Dowse is chaplain of the Massachusetts Senate, and Rev. Daniel W. Waldron of the House. Both the chaplains are Republicans, and each is paid $300 for his services. Mr. Dowse seldom prays over 1½ minutes, and Mr. Waldron never over three minutes.

JACKSONVILLE, FLA., Nov. 30. Information has been received here from Punta Gordo of an outrage committed on Port Sanitary Inspector Cochran in Charlotte harbor by Spanish smugglers.

The inspector boarded a Spanish schooner, where the crew met his request to see the vessel's papers by throwing him overboard, afterward cutting his boat loose. It was with great difficulty that the inspector reached the shore.

An official complaint has been made by State Health Officer Porter to the Treasury Department and the Marine Hospital service, besides notifying the State Department that Spanish vessels are continually violating international law and treaty obligations by fishing in Florida waters, inside the marine league.

ELIZABETH, N. J., Dec. 6. In the Union County Court today Judge McCormick pronounced sentence on the two Anarchists, Charles Klop and Emil Vogt, who were convicted of being active participants last August in a riot at a picnic, where the police were roughly handled, and one of them, Officer Wind, was nearly killed by infuriated Anarchists. Two of the principal actors in the fight, Herman Dreyer and Fritz Bock, disappeared the morning after the riot and are supposed to be now living in New York.

A dozen of the rioters were arrested and fined $28 each, while Klop and Vogt, being among the ringleaders, were held for the Grand Jury and convicted. Klop was identified as the man who kept yelling, "Kill the police!" Judge McCormick, in imposing sentence on him, said: "The court is fully satisfied that the verdict is a proper one, entirely justified by the facts. I am satisfied that you are one of that class who want to take in your own hands — lawless hands — the Government of this country. It is about time that the courts make an example of people like you, who attempt to usurp the functions of the law. The sentence, therefore, is two years in State prison, with costs."

To Vogt the Judge said that he had associated with people of the Anarchist stripe, and only the numerous appeals for clemency in his behalf by influential citizens, including his employer, prevented the court from imposing a similar punishment. In hopes, however, that he would mend his ways, and in view of his previous good character, the sentence was that he spend six months less one day in the county jail.

While it has not been successfully disputed that the McKinley bill has had the effect of advancing the price of nearly all articles known as "the necessities of life," yet the measure threatens a still heavier blow to the working classes.

It will be remembered that a cablegram appeared in the papers Tuesday morning in which it was stated that the big plush mills all over England were proposing shutting down because of the practically prohibitory tax imposed on these goods by the McKinley bill. It was said that one factory alone had given notification to its nearly 1000 employes that no more work would be given them on account of the dulness of trade with the United States.

A gentleman of Boston, who has devoted many years of his life to a careful study of politico-economic problems, said to the writer this morning: "We will be called upon, within the next few months, to meet one of the most perplexing questions that has ever confronted us. The closing up of these plush mills in England will result in increasing the number of skilled immigrants to America who will come in direct competition with our own laboring classes. They will either elbow the American workman out of employment or cause a great reduction in wages in many branches of industry. This is a contingency the McKinleyites did not foresee."

A Suggestive Item.

[Boston Herald.]

The article published in the newspapers recently, giving information of the mail and express train which will run between Boston and New York, gave the impression that the new departure had been brought about by the intervention of the Government, and that its primary purpose was to facilitate the conveyance of the mails. This is not so. The new arrangement was brought about by the Adams Express Company, which is to pay the railroads $1000 a day for the service. The mail cars are allowed to run on the train by sufferance of the express company.

They Will Work It Out Yet.

[Galveston News.]

The Alliance demand for $50 a head circulating medium means about three times the amount of money that is now in circulation. But it does not follow that the notes would be depreciated. The Alliance plan is different from the old Greenback plan. A note that is issued on security should, with proper management, maintain its professed value. Thus an addition of national bank notes on the present plan does not depreciate the value of any existing money, except as that may be an oppressive scarcity value. Neither does a new warehouse certificate for cotton, provided there be a new bale of cotton behind it. Representatives of the commercial world are coming to the idea of currency secured by transferable commodities, but they have not worked it out.

Liberty.

Issued Fortnightly at One Dollar a Year; Single Copies Five Cents.

BENJ. R. TUCKER, EDITOR AND PUBLISHER.
VICTOR YARROS, - - ASSOCIATE EDITOR.

Office of Publication, 45 Milk Street, Room 7.
Post Office Address: LIBERTY, P. O. Box No. 3306, Boston, Mass.

Entered as Second Class Mail Matter

BOSTON, MASS., DECEMBER 27, 1890.

"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the exciseman, the erasing-knife of the department clerk, all those insignia of Politics, which young Liberty grinds beneath her heel." — PROUDHON.

☞ The appearance in the editorial column of articles over other signatures than the editor's initial indicates that the editor approves their central purpose and general tenor, though he does not hold himself responsible for every phrase or word. But the appearance in other parts of the paper of articles by the same or other writers by no means indicates that he disapproves them in any respect, such disposition of them being governed largely by motives of convenience.

More on Copyright.

While sympathizing with Mr. Tucker's opposition to those who favor a perpetual monopoly of ideas, and agreeing with him in regarding that notion as too silly to require any force for its refutation, I cannot admit that he has been successful in showing that those who accept Alphonse Karr's view that literary property is a property, allowing of no equitable limitation, either in time or in space, of its exclusive enjoyment by its author, are chargeable with the belief in perpetual monopoly of ideas. Is it, then, so self-evident that the belief in literary property is equivalent to belief in monopoly of ideas that Mr. Tucker is justified in withholding his proof of this identity? For my part, I think I discover a vital distinction between these two things, and, if I am right, the strong argument against monopoly in ideas loses all its force when directed against literary property. Let us recall the argument: "Ideas may be said to be the raw material of nature's invisible realm, and there is no more justification for the claim of a discoverer of an idea to exclusive use of it than there would have been for a claim on the part of the man who first 'struck oil' to ownership of the entire oil region or petroleum product." — "The central injustice of . . . . patent law is that it compels the race to pay an individual through a long term of years a monopoly price for knowledge that he has discovered today, although some other man or men might, and in many cases very probably would, have discovered it tomorrow." Now I claim that these objections do not in the least degree apply to the matter of copyright. Were I to argue that Spencer ought to be allowed the exclusive ownership of his literary property in precisely the same manner that he is allowed the ownership of the furniture which he gets in exchange for his own products, Mr. Tucker could not gainsay me: he would find himself without any weapons of offence or defence. For surely it would be absurd to say that "some other man or men might, and in many cases very probably would, have (written) tomorrow" what Spencer has written today. Instead of being "very probable," it is simply beyond all possibility. If Spencer had not been born, it is probable that some other man or men would by this time have discovered the ideas and truths with which his name is identified; but the world would never have had Spencer's books. The method, the style, the manner, the peculiarities of all kinds due to his physical, mental, and moral traits, these no other man might or would under any circumstances bring. What is true of Spencer is true of Shakspere, of Byron, of Proudhon, of Comte, of Tennyson. Since men began to write, no such occurrence has taken place as the production of two similar quatrains, or two tenline paragraphs, by two independent men. The writings of no two men are ever alike; because no two men are mentally and morally alike, although hundreds of men hold common beliefs and have thoughts and emotions in common. Take a hundred writers, more or less equal in advantages, or even exactly equal, and put a given question to them, to be answered by each in a given number of words, and no two of them will ever produce answers identical in style and language, while many of them may agree in the substance, the idea, of the answer. (Of course I do not refer to matters known to all and habitually spoken of by all in fixed terms.) Such being the case, it is not true that literary property is property in ideas. Copyright would not prevent anyone's writing a book to express the same *ideas* that Spencer has expressed; it would simply prevent the appropriation of the fruits of his toil. Spencer goes to nature's store of raw material and discovers a piece of vacant (invisible) land. He settles upon it, erects improvements, adorns it, and makes it a thing of beauty and a joy forever. The improvements and adornments are his. The book is his, the ideas are not. The same ideas are found in other books of the time. But if we choose to read *his* book, we must pay him for it. Suppose printing to be unknown: should we not have to pay Spencer for reading his manuscript? Does printing make that right which was obviously wrong prior to its invention?

Turning to the practical aspect of the question, it is evident that copyright would not tend to impede the diffusion of valuable knowledge or hinder the advance of science or philosophy. Ideas being common property, competition among the writers would keep the prices of books at a reasonably low limit. The larger the number of readers, the larger the income, and the wider the fame. Even where competition did not enter as a factor, as in the case of literary giants and exceptional geniuses, the desire to be known and honored and loved by the greatest possible number of people would result in the same effect. To be sure, the income of a genius, or of his heirs, would always remain larger than the income of average writers; but there is no more injustice in that than in the fact that great singers and actors command larger pay than those of average ability and talent.

Do I, then, favor copyright? I am not ready to say that I do; only I see no good reason for not favoring it. As an Anarchist I can only say that the State, being, as it is, supported by compulsory taxes and generally objectionable to me for multitudinous reasons, is not the proper agency for enforcing that right, if a right it be. That is, I can only go as far as Mr. Pentecost, and require further evidence before making a decision upon the equity or non-equity of copyright itself. Anarchists, as Anarchists, are not logically obliged to pronounce against copyright. Their principle of equal liberty is not violated by copyright, provided such right to literary property is enforced by voluntary associations. The question of copyright or no copyright must be discussed, as Mr. Tucker says, independently of the question of State or voluntary protection. I merely state, and have endeavored to show, that Mr. Tucker's argument, entirely applicable to patent rights, is as completely inappilcable to copyright.

V. Y.

One would naturally suppose, I think, from reading the foregoing, that the point raised was a novel one in the pages of Liberty, and that I had never met it or attempted to meet it. "*I think I discover*," says Mr. Yarros, "a vital distinction between literary property and property in ideas"; and he prefers against me a charge of withholding proof of an identity of these two things which I am represented as proclaiming. (It should be noted straightway that I do not hold that these things are identical, since I regard property in ideas as a whole of which literary property is a part, and a part cannot be identical with a whole.) Upon which Mr. Yarros proceeds to tell me that I could not gainsay him if he were to "argue that Spencer ought to be allowed the exclusive ownership of his literary property in precisely the same manner that he is allowed the ownership of the furniture which he gets in exchange for his own products," and that in such a case I should have no weapons of offence or defence. Now, if Mr. Yarros will turn back to No. 128 of Liberty, bearing date of July 7, 1888, he will there find that this distinction which he thinks he has discovered appears in quotations made by me from an article by Henry George in the "Standard" of June 23, 1888, and that I then and there gainsaid both the distinction and the argument with a weapon which, whether of offence or defence, in my judgment made short work of them as presented by Mr. George and makes equally short work of them as presented by Mr. Yarros. The proof, then, has not been withheld by me, but disregarded by Mr. Yarros, since he substantially restates Mr. George's view without heeding my reply. I am the more surprised because, Mr. Yarros's connection with Liberty having been almost as close in 1888 as it is now, I had supposed, in the absence of any sign to the contrary, that my reply was entirely satisfactory to him. But it seems now either that it was not or that it made little impression upon him and has accordingly escaped his memory. In view of the probability of the latter, and since another close reader of and writer for Liberty has recently in conversation betrayed a similar obliviousness, and since it is likely therefore that the general reader has likewise forgotten the article in question, and since I consider it one of my best and most successful efforts (though short and on a subject less important than some others I have treated), — in view of this series of considerations, I say, I deem it best to reprint the important portion of my apparently neglected editorial and to urge for it careful consideration. Referring to Mr. George's article on copyright in the "Standard," I wrote as follows:

A correspondent having raised the question of property in ideas, Mr. George discusses it elaborately. Taking his stand upon the principle that productive labor is the true basis of the right of property, he argues through three columns, with all the consummate ability for which credit is given him above, to the triumphant vindication of the position that there can rightfully be no such thing as the exclusive ownership of an idea.

No man, he says, "can justly claim ownership in natural laws, nor in any of the relations which may be perceived by the human mind, nor in any of the potentialities which nature holds for it. . . . Ownership comes from production. It cannot come from discovery. Discovery can give no right of ownership. . . . No man can discover anything which, so to speak, was not put there to be discovered, and which some one else might not in time have discovered. If he finds it, it was not lost. It, or its potentiality, existed before he came. It was there to be found. . . . In the production of any material thing — a machine, for instance — there are two separable parts, — the abstract idea or principle, which may be usually expressed by drawing, by writing, or by word of mouth; and the concrete form of the particular machine itself, which is produced by bringing together in certain relations certain quantities and qualities of matter, such as wood, steel, brass, brick, rubber, cloth, etc. There are two modes in which labor goes to the making of the machine, — the one in ascertaining the principle on which such machines can be made to work; the other in obtaining from their natural reservoirs and bringing together and fashioning into shape the quantities and qualities of matter which in their combination constitute the concrete machine. In the first mode labor is expended in discovery. In the second mode it is expended in production. The work of discovery may be done once for all, as in the case of the discovery in prehistoric time of the principle or idea of the wheelbarrow. But the work of production is required afresh in the case of each particular thing. No matter how many thousand millions of wheelbarrows have been produced, it requires fresh labor of production to make another one. . . . The natural reward of labor expended in discovery is in the use that can be made of the discovery without interference with the right of any one else to use it. But to this natural reward our patent laws endeavor to add an artificial reward. Although the effect of giving to the discoverers of useful devices or processes an absolute right to their exclusive use would be to burden all industry with most grievous monopolies, and to greatly retard, if not put a stop to, further inventions, yet the theory of our patent laws is that we can stimulate discoveries by giving a modified right of ownership in their use for a term of years. In this we seek by special laws to give a special reward to labor expended in discovery, which does not belong to it of natural right, and is of the nature of a bounty. But as for labor expended in the second of these modes, — in the production of the machine by the bringing together in certain relations of certain quantities and qualities of matter, — we need no special laws to reward that. Absolute ownership attaches to the results of such labor, not by special law, but by common law. And if all human laws were abolished, men would still hold that, whether it were a wheelbarrow or a phonograph, the concrete thing belonged to the man who produced it. And this, not for a term of years, but in perpetuity. It would pass at his death to his heirs or to those to whom he devised it."

The whole of the preceding paragraph is quoted from Mr. George's article. I regard it as conclusive, unanswerable. It proceeds, it will be noticed, entirely by the method of *ergo*. But it is time for the philosopher to disappear. He has done his part of the work, which was the demolition of patents. Now it is the prestidigitator's turn. It remains for him to justify copyright, — that is, property, not in the ideas set forth in a book, but in the manner of expressing them. So juggler George steps upon the scene. *Presto!* he exclaims: "Over and above any 'labor of discovery' expended in thinking out *what* to say, is the 'labor of production' expended on *how* to say it." Observe how cunningly it is taken for granted here that the task of giving literary expression to an idea is labor of production rather than labor of discovery. But is it so? Right here comes in the juggler's trick: we will subject it to the philosopher's test. The latter has already been quoted: "*The work of discovery may be done once for all . . . but the work of production is required afresh in the case of each particular thing.*' Can anything be plainer than that he who does the work of combining words for the expression of an idea saves just that amount of labor to all who thereafter choose to use the same words in the same order to express the same idea, and that this work, not being required afresh in each particular case, is not work of production, and that, not being work of production, it gives no right of property? In quoting Mr. George above I did not have to expend any labor on "how to say" what he had already said. He had saved me that trouble. I simply had to write and print the words on fresh sheets of paper. These sheets of paper belong to me, just as the sheets on which he wrote and printed belong to him. But the particular combination of words belongs to neither of us.

He discovered it, it is true, but that fact gives him no right to it. Why not? Because, to use his own phrases, this combination of words "existed potentially before he came"; "it was there to be found"; and if he had not found it, some one else would or might have done so. The work of copying or printing books is analogous to the production of wheelbarrows, but the original work of the author, whether in thinking or composing, is analogous to the *invention* of the wheelbarrow; and the same argument that demolishes the right of the inventor demolishes the right of the author. The method of expressing an idea is itself an idea, and therefore not appropriable.

It goes without saying, of course, that the imputation which I cast upon Mr. George's motives does not apply to Mr. Yarros in the smallest degree. But in other respects the similarity of their positions is striking. Mr. Yarros's distinction between the probability of the rediscovery of an idea and what he considers the impossibility of the rediscovery of a form of literary expression differs in no essential from Mr. George's distinction between work of discovery and work of production. Mr. George's is the more elaborate, more "improved" and "adorned" if you will, but it unquestionably contains the idea that work of discovery implies the possibility of rediscovery, while work of production excludes it; and it is on this ground that he places literary expression under the head of work of production, thereby reasoning to copyright as Mr. Yarros reasons to it. But in my reply I show Mr. George that literary expression belongs under the head of work of discovery; that all combinations of words exist potentially; that they are "there to be found" before any author finds them; that in this respect they are like any other invention or discovery; and that *the form devised to express an idea is itself an idea, and therefore falls under the general law of no-property in ideas.*

To discuss degrees of probability or possibility in this connection, as Mr. Yarros does, is to shoot wide of the mark. Such questions as this are not to be decided by rule of thumb or by the law of chances, but in accordance with some general principle. In the sentence which Mr. Yarros quotes from me regarding the central injustice of copyright and patent law, the clause, "and in many cases very probably would," is of a parenthetical character and does not affect the argument at all. It does affect the question of the degree in which the wrong is grievous; it does not affect the fact of the wrong itself. A man is guilty of a more grievous wrong in committing ten burglaries than in committing one, or in robbing a poor man of necessities than in robbing a rich man of luxuries, but in principle the wrong is the same in both cases; and, if the article stolen is only a pin, the owner still has the right of redress. So the State is guilty of a more grievous wrong in granting a monopoly to a discoverer of an idea in a case where the chance of rediscovery is great than in granting one in a case where that chance is extremely small, but in principle the wrong is the same in both cases; and, in spite of the fact that I am far more likely to be struck by lightning one minute hence than I ever was likely to have written Spencer's "Principles of Psychology," it remains true that the chance thereof cannot be placed beyond the limit of possibility, which justifies me, if I so choose, in falling back upon my right and insisting that I shall not be deprived of it. Among the things not logically impossible, I know of few nearer the limit of possibility than that I should ever desire to publish Liberty in the middle of the Desert of Sahara; nevertheless, this would scarcely justify any great political power in giving Stanley a right to stake out a claim comprising that entire region and forbid me to set up a printing-press in any part of it without paying him rent. Into none of these matters does the question of degree of probability enter.

But Mr. Yarros gives indication of seeing this, for he says only a few words regarding degree, and then proceeds to argue that rediscovery of literary expression is "beyond all possibility." This is not wide of the mark; on the contrary, it is strictly *à propos*. But it is absurd, as I think Mr. Yarros will see on further reflection. For when, setting aside degree, we attempt to maintain impossibility, we must maintain logical, inherent, intrinsic impossibility. Now, a single consideration will show us that rediscovery of literary expression is not logically impossible. If an immense number of letters of the alphabet should be thrown into the air, there would be many billions of forms in which they might fall to the ground. One of these forms is the play of "Hamlet," and it obviously cannot be denied that the letters stand the same chance of falling in this form as of falling in any other single form out of the many billions in some one of which they must fall. This at once disposes of the claim of logical impossibility. I might go on to show how the addition of intellect to chance vastly increases the possibility, but it is needless; the test of chance alone is sufficient to sustain my position.

Here I might stop with perfect justice to myself; but perhaps it is well to glance at some of the further arguments made by Mr. Yarros. For instance, his extension of my analogy of ideas to land. "Spencer," he says, "goes to nature's store of raw material and discovers a piece of vacant (invisible) land. He settles upon it, erects improvements, adorns it, and makes it a thing of beauty and a joy forever. The improvements and adornments are his. The book is his, the ideas are not." My analogy is perfect, but Mr. Yarros's extension of it will not hold. Why? Because, when a man improves and adorns vacant land, he does not thereby prevent his neighbor from similarly improving and adorning other vacant land; but the man who is granted a perpetual copyright on his improvements and adornments of an idea excludes all other men from making similar improvements and adornments. It cannot be repeated too often that such improvements are in themselves ideas and are to be treated like other ideas.

Again, Mr. Yarros urges: "Suppose printing to be unknown: should we not have to pay Spencer for reading his manuscript? Does printing make that right which was obviously wrong prior to its invention?" The proper distinction to be made here is not between reading on the one hand and printing on the other, but between reading, writing, printing, or any other forms of expression used *privately*, on the one hand, and *publication* on the other. It is by the act of publication that an author relinquishes his right. And even this is not strictly accurate, for, having no right, he can relinquish none. He only relinquishes a power which theretofore had been guarded by other rights, — the right of inviolability of person, the right of privacy of domicile, and the right of contract. Whether an author writes or prints his book, no one can touch it as long as he carries it in his pocket or keeps it in his desk. He may read it to his friend under pledge of secrecy, and the friend is bound in honor not to reveal it. He may read it to a company of strangers, making a contract with each to observe his confidence, and they must carry out their contract. But in all these cases the thing respected is not the author's property in his idea, but those personal rights which he enjoys in common with all individuals, and as long as he keeps his ideas within the precincts, so to speak, of these personal rights, he can retain his power over it until some one else discovers it as he did. But let him read his manuscript to a miscellaneous audience or offer his book for sale to all comers, and his power vanishes straightway. Suppose printing to be unknown, and Spencer to sell copies of his manuscript: would not the purchaser of a copy have a right to read it to an audience? If so, upon the invention of printing, would not this same purchaser have a right to print the book and distribute it? I reverse Mr. Yarros's question, and ask him: "Does printing make that wrong which was obviously right prior to its invention?"

I cannot admit Mr. Yarros's view of the effect, under copyright, of competition and the love of fame and honor. The facts do not sustain it. Hugo undoubtedly loved fame and honor: why has there never been a cheap edition of his works in France? And, setting aside the towering geniuses, why, in countries where there is both national and international copyright, do the works of living authors command prices two and three times as high as those of dead authors whose copyrights have expired? Every successful author, great or small, has his public, and, under copyright, this public will buy his books at his price, even though the works of other authors less to their taste can be had for less money.

Mr. Yarros thinks there is no more injustice in the excess of the income of a literary genius over that of an average writer than in the excess of a great singer's salary over that paid to an inferior artist. Perhaps not, from the standpoint of that power which endowed the writer with superior genius and the singer with superior vocal organs. But from the human standpoint this undue inequality, though equally unfortunate in both cases, is more unjust in the former, for the reason that the writer cannot get the excessive income without the intervention of man, while the artist cannot be prevented from getting it except by the intervention of man. We cannot say to Patti: "You shall sing for five dollars an hour" (a price at which she would gladly sing if there were a thousand Pattis), for that would set a precedent for State interference in the fixing of wages and prices which would lead to much worse evils; but we can say to Tennyson: "You may get as much as you can for your poems, but we will not protect you against competition," for in so doing we practise *laissez-faire*, the essential basis of social harmony.

It must not be inferred that I wish to deprive the authors of *reasonable* rewards for their labor. On the contrary, I wish to help them to secure such, and I believe that there are Anarchistic methods of doing so. As we have gained an Anarchistic instrument of hindrance in the boycott, so, I think, we shall gain an analogous Anarchistic instrument of help. But whatever method may be adopted, I am sure that Anarchy will not prohibit the reproduction of books by others after publication. For, despite Mr. Yarros's opinion, I think that such a course is un-Anarchistic. Indeed, what more glaring violation of equal liberty than when a liberty enjoyed equally by all to produce, if they can, a certain unwritten book, becomes, after the book has been written, invested, by the act of copyright, in one man, and is stripped from all others?

T.

Men's Rights and Labor's Needs.

With an earnestness and a determination worthy of a better cause, John Rae is laboring, in his "Fortnightly Review" articles, to draw a distinction between tweedledee and tweedledum, between the State Socialism of the Marxites and Fabians, and the State Socialism which he propounds. Of course he would vehemently deny that his political theories may with propriety be described as State Socialistic; but, as has been remarked, his profession cannot be allowed to outweigh his performance. Is it our fault that he lacks the logic to become a frank and consistent antagonist of individual liberty? In point of fact, were we to accept Mr. Rae's views of the duties and functions of government, we should find it impossible to invent a plausible excuse for declining to proceed further in the direction of the State Socialists' goal. His remedial measures would not effect the desired end, — they would not remove the industrial difficulties and set men's minds at rest; while his concurrence in the Socialist claim that men have the right to life and the right to labor, in the sense that society owes every man a living, would estop him from resisting the demand for complete State control of production, distribution, and exchange, if that decisive and heroic measure were deemed indispensable for the purpose of discharging society's debt to the individual. On some future occasion we may amuse ourselves by glancing at Mr. Rae's reasons for opposing thorough State Socialists; at present I am concerned with his arguments against the political theory of *laissez faire*.

But first it is necessary to comment on the strangeness of the undeniable fact that even such a man as Mr. Rae shows himself congenitally incapable of comprehending — not to say appreciating — the real grounds upon which the opponents of State monopoly and State charity in all their varieties base their opposition. It is fairly presumable that, unlike the avowed partisan State Socialists, Mr. Rae is anxious to know the strongest points of his antagonists' case and that he has done everything prescribed by intellectual honesty and the interests of scientific controversy in

the way of informing himself of the facts and principles which the most advanced modern champions of liberty adduce in their favor. Since, however, he nowhere betrays a due consciousness of their full force, but, on the contrary, everywhere plainly reveals inadequate comprehension of the quality and quantity of meaning with which his opponents' statements are charged, the conclusion forces itself on his more intelligent readers, whether sympathetic or otherwise, that he is incapable of grasping the objections directed against his view, and deals instead with objections which *he* thinks may be made against him; and, naturally enough, he cannot think of any very strong objections.

What, for instance, can be more shallow and trivial than Mr. Rae's repeated effort to overthrow the position of those who deny the right to labor (in the State-Socialistic sense) and to public assistance, by asking them to deny also the right to life? Citing Malthus's aphoristic saying that man has the right to labor — if he can get it, Mr. Rae celebrates his triumph over Malthus by pointing out that logically Malthus was bound to declare that the right to life means nothing more than that the strong man who can defend himself against enemies *may* so defend himself, while the weak may be exterminated with impunity. But Mr. Rae appears exceedingly foolish to those who know that there is a sense in which the believers in liberty do most emphatically insist upon man's right to labor, consistently with their insistance upon man's right to life. What do we imply in saying that a man has a right to life? Simply that no other man may take his life without sufficient cause. In the same sense, a man may properly be said to have the right to labor; that is, that no other man may deprive him of his due share of the raw material of nature. This conception of the right to labor, like that of the right to life, involves no giving of anything to a man by his fellows, but implies merely the abstaining from doing positive injury. True, the right to labor is not so simple a matter as the right to life: there arises the difficult question in regard to the method of determining what is one's due share of nature's raw material and opportunities, and where the line is to be drawn between rightful exploitation of nature and wrongful invasion of others' domain; but, though difficult to trace, the distinction is real, and it is the business of social science to define the right to labor, converting the abstraction into a concrete fact.

I am aware that, assuming the Malthusian fear of a future with a superabundant population and scarcity of food to be well-grounded, the right to labor ceases to be an immutable truth and becomes a limited truth applicable only to certain temporary states. But the same is true even if we adopt the philosophy of Mr. Rae and expect to furnish every man with employment and reward. Society certainly cannot feed those whom nature leaves unprovided for, while, as long as nature does provide, all that society needs to do is not to interfere with the man who enjoys his share of natural wealth.

As interpreted by Mr. Rae, the right to labor includes the right to public assistance during periods of illness, and old age. The champions of individual liberty cannot acquiesce in this, and our reasons Mr. Rae, if he understood them, would find it impossible to meet without plunging into absolute communism and theological philosophy. Now, either the men who need public assistance under equitable conditions do so because of previous natural incapacity and inferiority, which prevented their accumulation of savings, or because of previous improvidence and vice. Now Mr. Rae himself would admit the injustice and unwisdom of compelling the industrious and careful to support the vicious and idle (although, indeed, I cannot admire his logic in this concession which his sentiment of justice compels him to make, for, surely, vice, weakness, and folly are misfortunes for which men often cannot be blamed). The question then is restricted to those who are naturally inferior in physical or mental force. Mr. Rae holds that the persons of superior strength and skill are bound to support the inferior members of society, differing from Bellamy only as to the question of the degree of comfort to which they are entitled, or the quantity of the things with which they may rightfully demand to be furnished. He says that "Spencer errs by unduly contracting men's natural claim. They have a right to more than equal freedom; they have a right, to use Adam Smith's phrase, to an undeformed and unmutilated humanity, to that original basis of human dignity which it is the business of organized society to defend for its own weaker members against the assaults of fortune as well as the assaults of men." But Mr. Rae nowhere attempts to overthrow Spencer's conception of right and justice, a conception based on biological and psychological as well as sociological facts. Is he so unscientific, and at the same time so vain, that he expects us to be satisfied with his unsupported assertion respecting Spencer's error? For my part, I assert that the phrase that a man has a right to undeformed and unmutilated humanity, except in the sense that he may not be deformed and mutilated by his fellows, is perfectly nonsensical. Assuming, for the sake of the argument, that the phrase has some meaning, it is evident that, if it is *not* the equivalent of the phrase that men have a right to equal liberty (and Mr. Rae assures us it is not), then it means, not that men have a right to more than equal liberty, but that *some* men have a right to more than equal liberty, while others have only a right to less than equal liberty. The right of some men to more than they can obtain by their own exertion can only be secured by denying to others the right to the whole of what they can thus obtain. This would be clear to Mr. Rae himself, did he not confuse matters by introducing "organized society" into the discussion. People are prone to forget that "organized society" is an abstraction, and that it means in practice the arbitrary and forcible interference of a greater power with a lesser power.

I have already observed that, in the absence of definitions of right and justice, it is impossible to argue the special question of the right to public assistance. Mr. Rae begs the question by saying that "it is generally admitted, even by those who adopt the narrowest political theories, that legal rights are merely the ratification of moral rights already existing, and that the creation of new legal rights for securing the just aspirations of ill-protected classes of people belongs to the ordinary daily duties of all civil government." Unless Mr. Rae is prepared to affirm that *all* legal rights are sanctioned by corresponding moral rights, and that, like the king, legislators can do no wrong, can never create a right that is morally a wrong, his argument that, because the right to public assistance is legal, it must also be moral, is fallacious. At any rate, whatever his own opinion may be, it is absurd to say that "it is generally admitted" that the legislators are never wrong; Mr. Rae knows well enough that in Spencer's view the case is more nearly the reverse of that. What Mr. Rae must prove is that the right to public assistance is a valid deduction from the principles of justice.

But my chief complaint against Mr. Rae is that he argues as if some form of State Socialism were the only alternative to the present unsatisfactory system. He seems to assume that the choice lies between the crying evils which we now bear, and either the modified Socialism which he advocates, or some other variety of the same system. Now, it is certainly not true that *any* of those who intelligently and sincerely advocate liberty desire to perpetuate the existing system or resign themselves to its continuance as inevitable. Though we have more than once rebuked the Spencerian individualists for their *comparative* neglect of the economic side of the movement for liberty, and though we shall continue to reproach and attack them if they do not amend their policy, we must in justice declare that they do expect considerable improvement in the distribution of wealth, considerable diminution of misery and poverty among the laboring masses, from the elimination of legal monopolies and legislative meddling with capital and labor. We should expect such critics as Mr. Rae to perceive this, though we do not make the same demand from less competent people. But the Anarchists certainly have not laid themselves open to such a charge; they never tire of discussing the relation between governmental interference with industry and the degraded condition of labor, and of explaining how it is possible for labor to get rid of the present ills without inviting those of State Socialism. We have shown that labor needs nothing but equal liberty and equal opportunities, which neither the prevailing system nor the various kinds of State Socialism intend that it shall have. The reforms which we deem all-sufficient are corollaries to the principle of justice, though antagonistic to current legal notions. Is Mr. Rae ignorant of these proposals, or does he ignore them as a matter of convenience? If he is ignorant of them, we can assure him that, if he informs himself regarding them, he will discover that by adopting them all questions of public assistance and governmental protection of the "lower classes" would be caused to disappear. If Mr. Rae is really anxious to have tardy justice done to labor, he should understand that not in poor laws, government inspection of houses or mines, or arbitration boards, is justice to be found. It is not protection for labor that is wanted: such protection would be unjust and useless, as Spencer contends. What is needed is cessation of protection and favoritism to capital and landed interests. This, and nothing more, and nothing less. The State Socialists, it is true, ignorantly cry that it is too little; Mr. Rae, I suspect, would think it altogether too much.

V. Y.

Unconscious Radicalism.

The subjoined paragraphs, written by Gen. M. M. Trumbull, deal with a very interesting subject. I reprint them from the "Open Court," having one or two comments to make.

> Another venerable monopoly is in danger, the right of lawyers to the exclusive possession and enjoyment of judicial honors and emoluments. At the recent election in Kansas, a farmer, instead of a lawyer, was elected judge of the Twenty-fourth District. It is claimed for him that, although he has never studied law, attended lectures, been admitted to the bar, or committed any foolishness of that kind, he is well qualified for the bench, because he has a "judicial mind," having served in the capacity of judge at several horse races, church raffles, county fairs, and similar tribunals. It was also said — and the criticism will apply to some other States — that the judges in Kansas had much law and little judgment, and that the law they had was bad. It was, therefore, thought best to elect a judge who, if he knew no law at all, would certainly be innocent of bad law; or who, by reason of his "judicial mind," would be more likely to decide sensibly and justly than another whose mind had been twisted out of moral symmetry by the "sharp, quick quillets of the law." Had the farmers of Kansas held bravely to their course, the result would probably have justified their action, but in a moment of doubt and weakness they inconsistently took up a collection and sent their judge to Ann Arbor for a six weeks' course of study in jurisprudence, at the end of which time he will know as much law, and as bad law, as the other judges know. Should their judge get muddled in judgment, the farmers of Kansas may charge his failure to the law school at Ann Arbor.
>
> Is it necessary for a judge to be a lawyer? There are two sides to this question, and each gives good reason against the other. Where the *forms* of action are the essence of a law suit, the judge might be a lawyer, but where substantial right is "of the essence," it is better that he know nothing about the forms of pleading or the fictions of procedure. Wiser will he be if ignorant of the rule that makes a suitor state his cause of action in the form of manifold lies, or have his pleadings "quashed," and he himself be driven from the temple, where Justice cannot interfere, because being absurdly blindfolded she vainly tries to weigh the merits of a cause in scales invisible to her. Hence courts of equity arose where Justice tried the case without the bandage on her eyes.

It requires no exceptional development of the logical faculty to perceive that the position taken by Gen. Trumbull necessitates the acceptance of Lysander Spooner's interpretation of political freedom. Judges destitute of the knowledge of law could not contrive to convict anybody for the violation of any of the thousand statutes looking to the regulation of our industrial, commercial, financial, sexual, and religious affairs. No judge and jury governed by common sense and the sentiment of justice and fair play would punish a man for selling liquor, or working on Sunday, or refusing to pay duty on goods bought in a foreign country, or living with a woman in a union unhallowed by an official meddler, or buying a lottery ticket, or coöperating in the organization of a private note-issuing bank, or organizing a private mail, etc., etc. Such a judge and jury would kill our "system of

government," would relegate majority rule to the limbo of past superstition, and would deprive all legislators of their too profitable occupations. It's a consummation devoutly to be wished, I know, but Gen. Trumbull is scarcely prepared to join us in this prayerful wish. He supports majority rule. He favors a monopoly of credit, and probably a monopoly of the mail-carrying business, and, if I am not mistaken, prohibition of the liquor traffic. He cherishes a thousand beliefs which such judges as he professes to confide in would dash to the ground and trample under foot. Must we attribute Mr. Trumbull's unconscious radicalism to a slip of the pen, to the thoughtless deliverance of an unguarded moment? Or may we congratulate ourselves and him on a change of heart, on a new departure, on a conversion to the views of Spooner as elucidated in his "Free Political Institutions," — views that are substantially in accord with Anarchism, that, indeed, *are* Anarchistic in almost everything but the name by which Spooner described them? If Gen. Trumbull's sentiments really indicate growth, more direct proof of it would not be unwelcome. V. Y.

Before Labouchere turned tail to join the cowards who are howling against Parnell, he made a very fair argument for the retention of the Irish leader by asking whether "any one in his senses" would have "suggested that the Duke of Wellington ought to have been cashiered when Napoleon was marching on him in Belgium if some divorce suit had gone against him in England." The New York "Nation" says that this is no argument at all, and tells us why. "Nobody," it says, "has as yet asked Parnell to resign because he has been taken in adultery. He is asked to resign because two-thirds of his army will not fight under his orders. If two-thirds of Wellington's troops at Waterloo had, on discovering that he was philandering with another man's wife at Brussels during the fight, refused any longer to obey his orders, he would have been deposed promptly, not because of his sexual immorality, but because his conduct had made defeat certain if he remained in command. This is Parnell's case. The English Liberals will not serve with him, and the question before the Irish is not whether the English are unreasonable, but whether the Irish can win without their aid." It will be noticed that the body spoken of by the "Nation" as Parnell's army consists of the English and Irish combined, the former constituting two-thirds and the latter one-third. Of this Irish third one faction demands Parnell's resignation, and it is true, as the "Nation" says, that this demand is not based on the charge of adultery, but on the refusal of the English two-thirds to fight under Parnell. But on what is this refusal of the English two-thirds based? Evidently on the charge of adultery. Now of course such a refusal is equivalent to a demand for Parnell's resignation. And yet the "Nation" says that "nobody has as yet asked Parnell to resign because he has been taken in adultery." This is a fair sample of Godkinian logic.

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